
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order No. 52 (2012)

State Fraud, Waste, and Abuse Hotline

Importance of the Initiative

Efficiency and economy in government and wise stewardship of taxpayer dollars demand constant vigilance to prevent fraud, waste, and abuse in the operation of state government.

The State Fraud, Waste, and Abuse Hotline (formerly known as the State Employee Fraud, Waste, and Abuse Hotline) was previously available only to state employees. Because of its usefulness in helping to ensure efficiency in state government, the hotline will now be expanded and available to all citizens of the Commonwealth.

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to Chapter 1 of Title 2.2 of the *Code of Virginia*, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby direct the State Inspector General to continue the anonymous State Fraud, Waste, and Abuse Hotline (hereinafter referred to as the "Hotline") to encourage the state's employees and its citizens to report situations where fraud, waste, or abuse may be occurring in Virginia's executive branch agencies and institutions, including institutions of higher education.

All citizens of the Commonwealth, including state employees, now have the opportunity to report possible instances of fraud, waste, or abuse anonymously and without fear of retribution by using the Hotline. The State Inspector General shall be responsible for administering the Hotline. Through the Hotline, the State Inspector General shall:

- Provide assistance to Executive Branch agency heads in fulfilling their responsibilities for maintaining appropriate internal controls to protect against fraud, waste, and abuse.
- Make available to state employees and all citizens of the Commonwealth a variety of means to report fraud, waste, and abuse in the Commonwealth's government business, one of which will

be an anonymous toll-free telephone number, and also including, but not limited to, any other communications through the Governor's office, Cabinet Secretaries, agency heads, U.S. Mail, fax, and the Internet.

- Make appropriate efforts to publicize the availability of the hotline and ways of accessing it.
- Implement a process for handling allegations of fraud, waste, and abuse received via the Hotline.
- Deliver ongoing training to state agency heads and managers on prevention of waste, fraud, and abuse.
- Ensure that instances of potential criminal conduct are referred forthwith to the appropriate law enforcement agency.

The State Inspector General shall e-mail all State employees at least annually to advise them of the Hotline and other means of reporting such problems.

The State Inspector General, through the Executive Branch's network of internal auditing programs and agency fraud, waste, and abuse coordinators, shall ensure that investigation and resolution activities are undertaken in response to allegations received through the Hotline. The State Inspector General may allow an internal auditing program at an executive branch agency to contract with a private firm in order to perform the investigations in a timely manner. Any such private firm shall comply with the applicable policies and procedures and the work must be supervised and approved by the contracting internal auditing program.

The State Inspector General shall undertake investigation and resolution activities in the most cost-effective manner possible. Responsibility for investigation or resolution activities shall be assigned to other investigative staffs when appropriate to avoid unnecessary duplication. Executive Branch agencies responsible for promulgating central administrative (e.g., personnel) policies will provide input on the interpretation of the policies applicable to investigations in order to ensure consistent and proper application of those policies so that appropriate conclusions are reached and recommendations made.

The State Inspector General shall review the reported corrective actions taken to rectify an actual fraud, waste, or abuse identified. If corrective actions are deemed insufficient, then the State Inspector General will conduct such follow-up as may be necessary to ensure that acceptable corrective actions are developed.

The State Inspector General shall conduct follow-up reviews to ensure that corrective action has been implemented. The results of such reviews shall be reported to the Governor's Chief of Staff and to the relevant cabinet secretary.

All executive branch agencies of the Commonwealth shall cooperate with and assist the State Inspector General and all investigators to the fullest extent. During the course of a Hotline investigation, investigators will have access to electronic and paper files, records, and documents, as well as personnel, facilities, property, and any other things necessary to conduct an investigation (Code of Virginia 2.2-310). This includes access to electronic and paper files maintained by the Virginia Information Technologies Agency (VITA) for other executive branch agencies as well as access to administrative investigative reports generated by an agency's in-house investigative unit that are germane to the hotline investigations.

Under no circumstances shall anyone directly or indirectly interfere with a Hotline investigation, or induce or coerce others not to cooperate with investigators. Any attempt to directly or indirectly interfere with a Hotline investigation is also prohibited and is subject to appropriate disciplinary

action under the Standards of Conduct promulgated by the Department of Human Resource Management.

Under no circumstances shall anyone, directly or indirectly, attempt to identify or retaliate against someone suspected of calling or cooperating with the Hotline. This includes threatening to effect any reprisal; or taking, or directing others to take, or recommending, processing, or approving, any personnel action, or any other retaliatory actions, or attempts to do the same. Any such actions will be subject to appropriate disciplinary actions under the Standards of Conduct.

The Governor's Chief of Staff shall be responsible for addressing any instances of alleged interference with an investigation or retaliation against employees using the Hotline.

This Executive Order rescinds Executive Order Number Fifteen (2010), State Employee Fraud, Waste, and Abuse Hotline.

Effective Date of the Executive Order

This Executive Order shall be effective upon its signing and shall remain in full force and effect unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 9th day of October 2012.

/s/ Robert F. McDonnell, Governor

Attest:

/s/ Secretary of the Commonwealth